

**Beaver County
Planning & Zoning Commission
March 21, 2018
7:00p.m.**

Minutes

Attendance: Darrel Davis- Chairman, Steve Kinross, Mike Riley, Walter Schofield, Drew Coombs, Kolby Blackner, Don Noyes, Jared Gillins representing the Zoning Department, Von Christiansen as Attorney and Kyle Blackner as Zoning Administrator.

Visitors: Chris Shope, Dan Hall, Paul Wright, Woodrow Campbell, Garrick Hall, Scott Albrecht, and an additional 24 visitors (see sign-in sheet).

Called to Order at 7:02 p.m.

As Chairman, Darrel Davis was running a few minutes behind, Mike Riley started the meeting as acting chairman.

MINUTES:

Minutes from the February 27, 2018 meeting were reviewed. Kolby Blackner made a motion to approve the minutes. Walter Schofield seconded the motion. Steve Kinross, Drew Coombs, & Don Noyes voted for, thus the motion passed unanimously.

Mike Riley passed the chair to Darrel Davis, when he arrived at 7:04.

Kolby Blackner mentioned his desire to begin with a prayer, as they do in county commission meetings. Von Christiansen said it would be appropriate. Chairman Davis asked if anyone would like to offer the prayer. After a brief silence, Kolby Blackner volunteered to give the prayer, if no one objected. There were no objections and Kolby Blackner offered a pray.

WORK MEETING:

Utah Department of Environmental Quality Employees, Dan Hall with Ground Water Permitting, Hydrologist, Chris Shope, and Environmental Engineer, Woodrow Campbell, came before the board to discuss ground water permitting & testing procedures. Flow pattern diagrams were displayed & explained. The basis for issuing a permit falls under the Utah Water Quality Act (UCA 19-5). Specifications from the applicant are provided, permits may not exceed a five year period, and additional conditions may be applied as needed. Design & construction specifications are considered for each individual project. Public notice is required and public comment may be heard. All facilities are now maintained with spill containment systems including a 60 mil membrane that is installed and pressure tested at 30 psi for 5 minutes. When necessary, patching is tested w/ a vacuum box. Monitoring wells are located above & below the lagoons. Permit specific conditions are used to determine the protection levels needed. Only swine waste is disposed of in the containment basin. Monitoring wells are sampled quarterly for the first two years, then are adjusted to semi-annual testing. Solid waste is removed and managed under comprehensive nutrient management plan. The director can modify the monitoring program in the future as needed. Things that are not monitored under the DEQ are; air quality, odor, setbacks, zoning, land use, water rights, and nuisance issues.

Compliance responsibilities include additional testing. If exceedances occur, the DEQ is notified within 24 hrs, followed by written notice within 5 days. The company must then provide a contamination assessment study plan. Pump and treat is one way to mitigate the problem. They can pump the liquid into a neighboring lagoon, remove and dry out the solid waste, and then make the needed repair/replacement to the liner. There have been occasions of exceedances both in the swine & dairy industry, both in Beaver & Millard County. Smithfield lagoons had more instances of exceedances previously, when the lagoons were only being lined with clay, but the newer system of liners has minimized those occurrences significantly. Walter Schofield inquired how they would measure the volume of a leak. Woodrow Campbell said the size of the hole in the liner is a determining factor in estimating volume. Mike Riley asked at what point (meaning size/volume of operation) would the DEQ require an intensive livestock operation to shift to a mechanical treatment plant. Mr. Hall did not have an answer for that question, as it is not required by the state. Mr. Campbell stated that JBS Swift, in Cache Valley, has gone to a mechanical treatment facility, but their circumstances require different permitting specifications. After discussing soils specific to our area, Drew Coombs asked if there were land characteristics where they would not allow a ground water permit. Mr. Hall said they may not necessarily disallow a permit, but suggest a better location, as the rocky bedrock would be of greater risk for contamination, than the clay areas. Walter Schofield asked how often the leakage could occur. Don Noyes said he saw the issue twice in fifteen years as a farm leader.

Central Regional Manager for the Utah Farm Bureau Federation, Garrick Hall, came before the board to present a few thoughts about potential county ordinance language. Duchesne County does not want any CAFOs (Confined Animal Feeding Operation), while other counties such as Cache have almost no setback requirements, as long as the company meets state standards. Chairman Davis asked how many other intensive livestock operations are in the state. Mr. Hall didn't have specific numbers, but said that Millard County had several dairies of larger scale.

We then reviewed definitions for "residential" & "residential area". The current setback is 750 ft. from a residence. Mr. Blackner showed a map of all residences located outside of the incorporated communities and then compared it to the map with the current 2 mile buffer, around the incorporated communities. Chairman Davis talked of the need to protect the area north of Beaver, for residential growth, while still allowing for current farming operations. Beaver City Mayor, Matt Robinson, was asked if they have a general plan and if it is readily available to anyone who requests it. Drew Coombs said while he understands the desire to protect the area for potential growth, at the same time, we cannot count on it and we shouldn't limit ourselves to that possibility, when agriculture opportunities are available. At this time, a guest in the gallery continued to interject, and was asked to leave. Mike Riley said we need to protect the residential areas, whether they are incorporated communities or long-time, small residential areas. Kolby Blackner felt we will be limiting the use of the property owner if we change the setbacks. Steve Kinross feels the current setbacks are sufficient, as does Drew Coombs. Mike Riley said he was not willing to do that to the residents of Manderfield. Drew Coombs suggested we look at each individual residential district, as they differ in nature, and create setbacks specific to their characteristics. Board members continued to give their opinions back and forth. Mr. Blackner then showed the map with the three mile buffer. Board members felt like they were moving in circles and need to move forward with real suggestions. We viewed a map of a one mile setback from a residential zone, followed by a map of a 3000 ft. setback from a resident.

Kolby Blackner made a motion to Chairman Davis, that we take an on-site tour of intensive livestock operations within the county, to experience the sights, smells and distances first hand. He felt that looking at a map was helpful, but that we needed to have a “boots on the ground” view to make an educated decision. It was suggested that we include in the tour a Smithfield Hog Site, Gillins’ Dairy, Carter Cattle Feedlot, Yardley Leasing Feedlot, etc. Don Noyes seconded the motion. Mike Riley, Steve Kinross, Walter Schofield, and Drew Coombs voted for, thus the motion passed unanimously. After coordinating schedules, it was decided that we would take this trip on Thursday, April 12th, at 1:00pm as an additional work meeting.

Due to the late hour, Drew Coombs made a motion to table the other items on agenda. Don Noyes seconded the motion. Walter Schofield, Steve Kinross, Mike Riley, and Kolby Blackner voted for, thus the motion passed unanimously.

Don Noyes made a motion to adjourn. Drew Coombs seconded the motion. Mike Riley, Walter Schofield, Kolby Blackner, and Steve Kinross voted for, thus the motion passed unanimously.

The meeting was concluded at 9:41p.m.

Minutes approved on _____.

Darrel Davis - Chairman